

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO.: 5:09-cv-50

**MARK SLATE SHELNUT,**

Plaintiff,

v.

**GREGORY STEVEN PAIGE  
and  
SWIFT TRANSPORTATION CO.,**

Defendants.

**ORDER OF TRANSFER TO THE UNITED  
STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH  
CAROLINA**

**THIS MATTER**, coming before the undersigned United States District Court Judge for the Western District of North Carolina upon the Motion of the Defendant, SWIFT TRANSPORTATION CO., to amend its previously filed Petition and Notice of Removal and to transfer this matter from the United States District Court for the Western District of North Carolina, Statesville Division, to the United States District Court for the Middle District of North Carolina, Greensboro Division; and,

The Court having reviewed the Motion to Transfer and Motion to Amend the original Petition and having noted that this matter appears to be Removable to United States District Court, but, through a clerical error, the matter was inadvertently removed from the North Carolina Superior Court to the United States District Court for the Western District of North Carolina and should have been removed to the United States District Court for the Middle District of North Carolina;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the Amended Petition and Notice of Removal filed by SWIFT TRANSPORTATION CO. is hereby accepted by the Court and, further, that this matter is hereby transferred, from the United States District Court for the Western District of North Carolina, Statesville Division, to the United States District Court for the Middle District of North Carolina, Greensboro Division, pursuant to 28 U.S.C. § 1406, for such further proceedings as that Court may deem appropriate. See Kreimerman v. Casa Veerkamp, 22 F.3d 634, 645 (5th Cir. 1994); Mortensen v. Wheel Horse Prod.'s, Inc., 772 F. Supp. 2d 85 (N.D.N.Y. 1991); see also Harrah v. Trustmark Ins. Co., 227 F. Supp. 2d 600 (S.D. W. Va. 2002).

Signed: May 15, 2009



Richard L. Voorhees  
United States District Judge

